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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/628,442 07/28/00 RUQUE

C 060202

EXAMINER

MM91/0508

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DINH, T

ART UNIT

PAPER NUMBER

2841

DATE MAILED:

05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/628,442	Applicant(s) RUQUE, CHRISTIAN	
	Examiner Tuan T Dinh	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "**said**," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

Claims 1-10 are objected to because of the following informalities:

Claim 5, line 4, change "the front face" to —a front face—

Claim 1, line 8, change "the side faces" to —side faces—

Claim 1, line 8-9, change "the top face, the bottom face, the back face" to —a top face, a bottom face, and a back face—

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Brusati et al (U. S. Patent 5,467,254).

As to claim 1, Brusati discloses a device for electromagnetic protecting a drawer (84, column 4, line 66) as shown in figures 3-8 comprising six faces (see figure 6) distributed around the cards (88, column 5, line 6). One of the faces of the device is formed by the front face (see figure 6) of the drawer, while the five other faces of the device are formed by side faces, a top and bottom face and a back face. The faces are electrical conductive (column 4, line 66).

As to claims 2 and 3, Brusati discloses a device as shown in figures 3-7 further comprising resilient electrical connection (42, column 3, line 65) means for providing electrical connection between the front face of the drawer and the drawer receiving-structure. The resilient means are formed by electrically-conductive springs disposed on the edges of the opening provided in the front face of the structure, and/or on the drawer (see figures 4-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusati in view of Porter (U. S. Patent 5,808,866).

As to claims 4, 6, Brusati discloses all of the limitations of the claimed invention, except for top and bottom faces are provided with openings for allowing air to flow through. Porter shows a card cage (11) as shown in figure 2 having the openings (33) for allowing airflow through.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify of Brusati and provide the openings on the card cage as taught by Porter in order to provide air-flow around and distribute a cooling for the module into the card cage.

As to claim 5, Porter discloses a device as shown in figures 2 and 5 wherein, in the vicinity of a back face (24), the drawer-receiving structure is provided with connectors (30) suitable for cooperating with connectors secured to the cards (31). The back face is a grating provided with openings for passing cables (42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Brusati and provide the connectors and cables on the back plate as taught by Porter in order to make an electrical connection

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As to claim 7, Porter discloses a device as shown in figure 2 wherein the sum of the areas of the openings in each of the top and bottom faces (27, 28) is approximately equal to the area through which air can pass vertically in the drawer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Brusati and provide the areas of the openings in each of the top and bottom faces is approximately equal to the area through which air can pass vertically in the drawer as taught by Porter in order to permit a large volumetric flow of air sufficiently to cool the device.

As to claim 8, Brusati and Porter do not teach the maximum dimension of the openings is considerably smaller than the minimum wavelength of the electromagnetic waves from which the drawer is to be isolated. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a size of the openings and compare with wavelength of the electromagnetic waves. Since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch. 617 F.2d 272, 205 USPQ 215 (CCPA 1980)

As to claims 9 and 10, Brusati d and Porter do not disclose a device wherein the structure is suitable for receiving a plurality of drawers. The drawer-receiving recesses for two adjacent drawers being separated by an intermediate electrically-conductive plate. The intermediate plate is provided with openings for allowing air to flow through.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the device of Brusati and Porter. Since it has been held

that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Co. v. Semis Co.*, 193 USPQ 8.

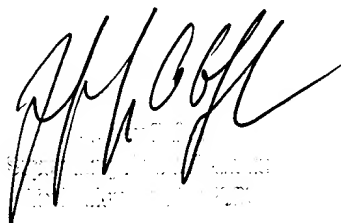
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Le, Ito, and Marconi et al* disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

A handwritten signature in black ink, appearing to read 'Jeff Gaffin', is written over a faint, rectangular stamp. The signature is fluid and cursive.

TD
May 2, 2001